

SB380
February 9, 2007

Good Morning Chairperson Cocchiarella and members of the Business and Labor Committee.

My name is Molly Molitor from M. S. Molitor Trucking and I am speaking on behalf of the Montana Motor Carriers, an association representing approximately 800 active members. I am here today to voice our support of SB380. We work in a safety sensitive industry and SB380 would enable us to advance to a higher level of compliance.

When screening an applicant, the prospective employer is required by federal law to complete several different steps. Three of the most important steps include conducting a pre-employment drug screen, ordering a motor vehicle record, and inquiring about history through previous employers. These steps *should* ensure a thorough check of an applicant, but there are numerous holes in this process. The inquiry into a previous history seems to be time consuming, complicated, ineffective and in some cases inaccurate. Valuable information can be lost if the applicant chooses not to release incriminating evidence from a previous job, i.e. positive drug or alcohol screen. The prospective employer is responsible for obtaining that information from previous employers, but if the applicant fails to list the job on his or her record, the process will fail. Even if the applicant lists the job, there is no guarantee that the previous employer will report back accurately or even at all. If the prospective employee was previously fired due to a drug or alcohol problem that has not been treated, we would not be privy to information that may inevitably lead to the demise of our company. SB380 will plug many of these holes.

For these reasons, those of us in the motor carrier industry would like to see this bill approved, but above and beyond those, there is an even more important reason. Putting this bill into law will give us an important tool in being able to prevent seating drug abusers behind the steering wheels of very large commercial vehicles on our public highways. The same highways used by our mothers, fathers, daughters, sons, sisters and brothers...all of us.

If a Medical Review Officer or Breath Alcohol Technician was required to report positive results to the Department of Justice, the hiring company would at least be alerted to a potential problem upon reviewing the MVR. An MVR is ordered at the beginning of the hiring process. That company can then find out if the applicant performed the proper rehabilitation, if there is something in the record indicating a problem. Law officers will also benefit from the knowledge of potential drug use during traffic stops, giving them valuable information to keep them safe as well.

If SB380 is approved, I am confident that it will have a positive effect on highway safety here in Montana and abroad. The State of Washington for one, has had a similar law in place for some time now. We could use SB380 as a tool to prove that safety and compliance are important issues in our state. I would certainly hope that eventually this law will be on the Federal Docket for additional consistency. If we can all work together to keep potentially dangerous drivers out of commercial vehicles, the roads will undoubtedly become safer.

In closing, I would like to thank you, Senator Cocchiarella and the Business and Labor Committee members for your time and attention this morning. I strongly believe that everyone here in attendance, would not be so if they were not interested in the furtherance of legislation for the good of the public. SB380 is certainly in the best interest of all of who wish to make our highways safer. Please join the motor carrier industry in supporting SB380, legislation that will lead to safer highways!